

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Leon Donald Cleveland

Debtor

Chapter: 13

Bankruptcy No.: 22-11284-amc

11 U.S.C. § 362

Community Loan Servicing, LLC

Movant

vs.

Leon Donald Cleveland

Debtor

and

KENNETH E. WEST

Trustee

RESPONDENTS

**OBJECTIONS OF COMMUNITY LOAN SERVICING, LLC TO CONFIMATION OF
DEBTOR`S PROPOSED CHAPTER 13 PLAN**

Community Loan Servicing, LLC, by and through its undersigned attorney, Michael Clark, Esquire, hereby objects to the confirmation of the Debtor`s proposed Chapter 13 Plan for the following reasons:

1. Community Loan Servicing, LLC, is in the process of filing a Proof of Claim with respect to its secured interest in real estate property of the Debtor or of the estate which is commonly known as and located at 5862 Christian Street, Philadelphia, PA 19143, such Proof of Claim will indicate an estimated arrearage claim in the amount of \$4,172.29. The claims bar date is July 27, 2022. The plan proposes to pay \$0.00. Accordingly, the Chapter 13 Plan does not properly address the pre-petition claim of Community Loan Servicing, LLC. *See* 11 U.S.C. Sec. 1325(a)(5).
2. Based on the information provided by Debtor in Schedules I and J, Debtor does not have sufficient monthly income to pay the correct amount of the pre-petition arrears of Community Loan Servicing, LLC over a sixty (60) month period. Accordingly, Debtor`s proposed Chapter 13 Plan is not financially feasible. *See* 11 U.S.C. Sec. 1325(a)(6).
3. Debtor need(s) to have an additional \$59.54 per month in order to pay the arrears of Community Loan Servicing, LLC only, over a sixty (60) monthly period. There is absolutely no indication or evidence from Debtor`s Schedules that she/he/they has the ability to obtain such additional income. Accordingly, Debtor`s proposed Chapter 13 Plan is not financially feasible. *See* 11 U.S.C. Sec. 1325(a)(6).

4. Due to all of the defects in the Debtor`s proposed Chapter 13 Plan, as aforesaid, such Plan could not have been proposed in good faith. *See* 11 U.S.C. Sec 1325(a)(7).

WHEREFORE, Community Loan Servicing, LLC prays that its objections be sustained and that confirmation of Debtor`s Chapter 13 Plan be denied.

Respectfully submitted,

/s/ Michael Clark
Richard M. Squire, Esq.
Michael J. Clark, Esq.
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Attorney for the Objecting Party

Dated: June 5, 2023

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CERTIFICATE OF SERVICE

I hereby certify that I am over 18 years of age; and that service upon all interested parties, indicated below, was made by sending true and correct copies of the Objections of Community Loan Servicing, LLC to Confirmation of Debtor's proposed Chapter 13 Plan electronically and/or via First Class Mail, postage prepaid.

Date Served: 06/05/2023

KENNETH E. WEST
Chapter 13 Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

United States Trustee
Office of the U.S. Trustee
900 Market Street
Suite 320
Philadelphia, PA 19107

Leon Donald Cleveland
801 Franklin Street
Coatesville, PA 19320

Leon Donald Cleveland
5863 Christian Street
Philadelphia, PA 19143

CHRISTOPHER CONSTANTINE CARR
3240 Tyning Lane
Downington, PA 19335

I hereby certify the foregoing to be true and correct under penalty of perjury.

Respectfully submitted,

/s/ Michael Clark
Richard M. Squire, Esq.
Michael J. Clark, Esq.
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